

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA

v.

CR NO. 02-20165-D

ALVIN IRWIN MOSS, et al.,

Defendants.

ORDER ON MOTION OF UNITED STATES
TO QUASH SUBPOENAS

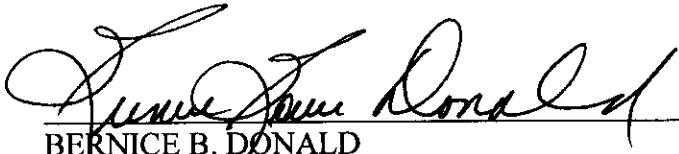
The Motion Of The United States To Quash Subpoenas was heard by the Court on July 21, 2005. Based on the memoranda filed by the parties, the subpoenas that have been served on John Asai, Joe Mann, III, Lee Stewart and Pamela Jane Vanderberg, and the arguments of counsel, the Court finds that the Government has not shown sufficient legal cause to quash the subpoenas that have been served. Since John Asai works in offices in Memphis, Tennessee, he shall appear when called to testify on July 21 or 22, 2005 or the next date set for hearing on Defendants' motions. Since Joe Mann, III works in the Memphis office of the FBI but is currently on annual leave, he shall appear and testify on the next date set for hearing on Defendants' motions. Since Lee Stewart works out of offices in Jackson, Tennessee, he shall appear and testify on July 22, 2005.

The Court finds that Defendants, in light of the family illness relating to the father of Pamela Jane Vanderberg, have agreed that Ms. Vanderberg need not appear on July 21 or 22, 2005 pursuant to the subpoena but, based on the agreement of Defendants, Ms. Vanderberg shall appear at the next date set for hearing on Defendants' motions.



For the foregoing reasons the Motion of the United States To Quash Subpoenas is denied except with regard to the modifications of the dates set out herein.

IT IS SO ORDERED this the 2nd day of August, 2005.


BERNICE B. DONALD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 582 in case 2:02-CR-20165 was distributed by fax, mail, or direct printing on August 4, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT